

**FOIA Resource**

**From:** uid no body [nobody@www.nrc.gov]  
**Sent:** Monday, March 03, 2008 9:22 AM  
**To:** FOIA Resource  
**Subject:** WWW Form Submission

**FOIA/PA REQUEST**  
**Case No.:** 2008-0138  
**Date Rec'd:** 3-3-08  
**Specialist:** Raphael  
**Related Cases:** \_\_\_\_\_

Below is the result of your feedback form. It was submitted by  
( ) on Monday, March 03, 2008 at 09:21:33

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Desc: The Allegation Review Board records, Office of Investigation records, and all other NRC records (except administrative type records such as e-mails setting up meeting times/locations and scheduling travel, etc) for the following allegations:

- 1) Allegation RI-2007-A-0040
- 2) Allegation RI-2007-A-0118
- 3) Any allegation made by John Jasinski prior to RI-2007-A-0040 (July 11, 2006 filing made in ALJ Case No. 2006-ERA-4 contains a Witness List with David Vito and Gregory C. Cwalina of the NRC staff as witnesses 37 and 38, respectively, to "testify about Jasinski's protected activity" suggesting that Mr. Jasinski submitted allegation(s) to NRC prior to RI-2007-A-0040 in March 2007) *see last page*

FeeCategory: Educational  
MediaType:  
FeeCategory\_Description:  
Expedite\_ImminentThreatText:

**Expedite\_UrgencyToInformText:**

**Waiver\_Purpose:** UCS seeks the requested information to understand how the NRC staff responded to security allegations.

**Waiver\_ExtentToExtractAnalyze:** UCS reviewed the February 2008 self-assessment conducted by NRC Region I on how it handled allegation RI-2007-A-0040. UCS seeks information on this allegation, and related allegations, to evaluate what factors were considered by NRC in reaching decisions about whether to refer the allegations back to the licensee and upon the adequacy and completeness of information received from the licensees in response to the referrals.

**Waiver\_SpecificActivityQuals:** On February 28, 2008, UCS testified at a US Senate subcommittee oversight hearing specifically focused on the Peach Bottom inattentive security guard issue. We have been contacted by the staff of a US House subcommittee regarding the same issue. UCS has a long history of engaging the NRC on security issues, dating back to prior to 9/11. UCS's efforts contributed to the NRC incorporating security guards into the scope of its working hour limits rulemaking. The requested information will complement our understanding of security guard fatigue issues. More importantly, it will add to our understanding of how the NRC handles security allegations. UCS has a long history of helping security guards get their allegations examined properly by the NRC (e.g., South Texas Project and Shearon Harris in recent years).

**Waiver\_ImpactPublicUnderstanding:** The Peach Bottom security issues have had extensive public attention. During the February 28, 2008, Senate oversight hearing, the NRC Commissioners informed the Senators that they are still evaluating how the security allegations were handled by the NRC staff so as to identify where improvements can be made. This matter is clearly a "work in progress." UCS seeks the requested information so we can better understand the matter and can better engage the NRC, as a public interest group, to identify and implement appropriate improvements. As our testimony before the Senate subcommittee indicates, our role is broader than simply interacting with the NRC and extends to representing the public interest before the Senate in public hearings.

**Waiver\_NatureOfPublic:** UCS has tens of thousands of members, albeit not all of which are concerned or focused on this security concern, and operates a website that is visited by tens of thousands of members/non-members each month. UCS has been quoted by NBC Nightly News, CNN, New York Times, Washington Post, Harrisburg Patriot Ledger, York Daily Record, and many other media sources on security issues - suggesting that our work and viewpoint contributes to the public's understanding.

**Waiver\_MeansOfDissemination:** Our primary audience for insights gained from our view of the requested information will be (1) the US Congress, to followup on the oversight hearing and staff contacts we've had on this subject, (2) the NRC's Inspector General, if our review indicates the NRC staff improperly applied its processes and/or procedures, and (3) the public. The first audience will be reached via public testimonies, such as the February 28th hearing, and public letters. The second audience will be reached by private meetings, but outcomes will be documented in publicly available reports. The third audience will be reached by backgrounders and reports issued publicly and posted to our website, [www.ucsusa.org](http://www.ucsusa.org).

**Waiver\_FreeToPublicOrFee:** While UCS encourages an annual contribution from our members and in return provides some communications only available to our members - such as a quarterly newsletter titled Catalyst - that might summarize our work on this security/allegation matter, the bulk of our work is posted on our website or publicly available via testimony before Congressional public hearings.

**Waiver\_PrivateCommericalInterest:** None.

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## Barbara Culleen

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**From:** Dave Lochbaum [dlochbaum@ucsusa.org]  
**Sent:** Tuesday, March 04, 2008 7:55 AM  
**To:** FOIA Resource  
**Subject:** Requested revision to recent FOIA request  
**Attachments:** 20080303-pch-ucs-foia-jasinski-allegations.pdf

Good Day:

Yesterday, I submitted the attached FOIA request electronically.

I'd like to revise the scope of the request to eliminate item (3), the records associated with any allegations made by John Jaskinski prior to RI-A-2007-0040.

Thanks,

Dave Lochbaum  
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